

## MINUTES – BOARD OF HEALTH

**Date:** April 27, 2015      **Place:** Town Office Building

**Present:** Caitlyn Rock, Kristy Paciorek, Ken Kushi, Stephen Ball-Health Agent; Dave Zarozinski & Debbie Palmer: Hillside Environmental

**Guests:** Dennis LaCourse, Mary Kersall, Saqib Tasneem, Atif Tasneem

- 6:07PM Meeting called to order.  
It was announced that tonight will be a hearing for suspension for 30-days for Gulf Mart, 668 Amherst Road, Sunderland, MA.
  - Gulf Mart's 1<sup>st</sup> Offense: November 2014
  - 2<sup>nd</sup> Offense: December 2014
  - 3<sup>rd</sup> Offense: March 23, 2015 which is being reviewed today.
- Mr. Kushi Motion to Open hearing for suspension of Sunderland Gulf Mart tobacco license, 2<sup>nd</sup> Ms. Paciorek, Vote 3-0.
  - Testimony from Dennis Lacourse: March 23, 2015 regular inspection and pricing survey conducted at Gulf Mart in Sunderland. Packaging of three (3) cigars (minimum allowed is 4), pricing of four (4) cigars packaged at \$2.50 (minimum cost \$5.00) package of 20 cigars at \$2.69 (minimum cost \$5.00); purchased items, provided items and receipt.
  - Items and receipt reviewed by Board of Health members.
  - Tobacco coalition has provided educational materials and information by speaking to clerks at time.
  - Mr. Tasneem questioned whether or not this offense would be a warning and not an offense for violation. Wondering why so many tickets in such a short period of time. Mr. Tasneem has owned a business in Sunderland since 2009.
  - Board of Health Chair addressed issue of targeting this business. Testimony of Tobacco Coalition-Dennis LaCourse reports the store came up on a randomly selected inspection list generated by the FDA and the State, in addition to local Board of Health.
  - Ms. Paciorek Motion to close evidence portion. 2<sup>nd</sup> Mr. Kushi, Vote 3-0.
  - Board of Health Regulations ¶ 1-c \$300 fine and 30-day suspension.
  - Discussion around suspension. Ms. Paciorek questioned third violation being educational based and both owners intended to be present in February for meeting that was cancelled due to weather. Questions around owners not being able to ask questions concerning regulations voted December 16, 2013.
  - Ms. Rock motion to suspend license for 30-days. Mr. Kushi 2<sup>nd</sup>, Vote 2-0. Ms. Paciorek abstained from voting.
  - Gulf Mart Tobacco License Suspension period: June 1-June 30, 2015. Notice to be sent. Owners informed at meeting.
- New sample Tobacco Regulations presented by Mary Kersall. Members to review and discussion will be at next Board of Health meeting.
- Ms. Rock Motion to accept E-Cigarettes letter of support to Attorney General Healy. Ms. Paciorek 2<sup>nd</sup>, Vote 3-0. Letter signed by all members as presented.
- Ms. Rock Motion to accept Minutes of March 23, 2015, 2<sup>nd</sup> Ms. Paciorek Vote 3-0.
- Sewer Regulations discussion postponed to next meeting.
- HILLSIDE ENVIRONMENTAL UPDATE:
  - 28 School Street - final follow-up inspection was conducted today. Violations abated. See attachment supporting documentation.

- Discussion concerning inviting Zoning Board and Building Inspector to Board of Health meeting to discuss rooming or boarding houses and to draft regulations.
- Pioneer Valley Apt. D-17 Housing Case postponed.
  
- HEALTH AGENT UPDATE:
  - 184 Hadley Road ó requested three (3) local upgrades. Code citations available on plan (see attachment). Ms. Rock motion to accept upgrade. Mr. Kushi 2<sup>nd</sup>, Vote 3-0.
  - Health agent reports conducting on-going inspections.
- Next Board of Health meeting scheduled for May 18, 2015.
- Ms. Paciorek Motion to adjust at 8:22PM, 2<sup>nd</sup> Ms. Rock, Vote 3-0.

Respectfully submitted,

Kristy Paciorek  
Recording Secretary